

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

TBK-Patent
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TYSKLAND

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19. April 2004

TBK - PATENT

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

15-04-2004

Applicant's or agent's file reference

WO 34226

REPLY DUE

within days from
the above date of mailing

International application No.

PCT/IB 2002/002027

International filing date (day/month/year)

18-06-2002

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

H04M 15/00, H04M 17/00, G06F 17/60, G06F 19/00, H04Q 7/38

Applicant

NOKIA CORPORATION et al

1. ☐ The written opinion established by the International Searching Authority:

☐ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This (first, etc.) opinion contains indications relating to the following items:

☒ Box No. I Basis of the opinion

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

18-10-2004

Name and mailing address of the IPEA/SE

Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Authorized officer

Behroz Moradi /itw

Telephone No. 46 8 782 25 00

Form PCT/IPEA/408 (cover sheet) (January 2004)

received from 15.2.04
reply

**WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

International application No.

PCT/IB 2002/002027

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

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Box No. V · Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>2-8</u>
	Claims	
Inventive step (IS)	Claims	<u>1-8</u>
	Claims	
Industrial applicability (IA)	Claims	
	Claims	

2. Citations and explanations:

Documents cited in International Search Report:

D1: US5465206 A
D2: US5826241 A
D3: US2002065785 A
D4 GB2333878 A
D5: US2002087461 A (Published 4 July 2002)
D6: US2002084727 A (Published 4 July 2002)

D1 describes an electronic bill payment system wherein participating consumers (= a terminal subscribed to a communication network) pay bills to participating billers through a payment network operating (= interacting) according to a few rolls (= steps). The participating consumers receive bills from participating billers which indicate an amount and a unique biller identification number. To authorise a remittance, a consumer (12) transmits (2) to its participating bank (16) a bill pay order (122) indicating a payment date, a payment amount, the consumers account number with the biller (14), a source of funds (232) (= a source of deposit) and the billers (14) ID number, either directly or by reference to static data containing the data elements. The system operates using an agreed set of protocols (= DIAMETER protocol) which include data exchange and message protocols as well as operating regulations which bind and direct the activities of the participants, (column 10, line 35 - column 11, line 58; abstract; figs 1-12).

D2 describes a payment system for enabling a first Internet user to make a payment to a second Internet user, typically for the purchase of an information product deliverable over

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

the Internet. The payment system provides cardholder accounts for the first and second Internet users. When the second user sends the information product to the first user over the Internet, the second user also makes a request over the Internet to a front end portion of the payment system requesting payment from the first user. The front end portion of the payment system queries the first user over the Internet whether to proceed with payment to the second user. If the first user replies affirmatively, a charge to the first user is processed off the Internet; however if the first user replies negatively, the first user is not charged for the information product. The payment system informs the second user regarding whether the first user's decision and pays the second user upon collection of the charge from the first user. Security is maintained by isolating financial and credit information of users' cardholder accounts from the front end portion of the payment system and by isolating the account identifying information from the associated e-mail address, (column 2 lines 5-27; abstract; figs 1-13).

D3 describes a mobile communication system for Internet based video and audio communication, executes authentication and accounting processes for packet communication of node device according to fee information. The authentication authorization accounting home (AAAH) server (1012) has a recording unit which records communication fee information that is to be changed to a mobile node device (1010). A processor carries out requested authentication and accounting processes for the packet communication of the mobile node device, according to the fee information. This authentication and accounting system adopts a DIAMETER protocol (see the Internet draft "draft-calhoun-diameter-mobileip-09.txt", July, 2000) as the AAA (Authentication, Authorization and Accounting) protocol and uses an AAA server having AAA functions, to carry out processing for authentication and accounting with respect to mobile nodes according to the IETF Mobile IP protocol (RFC-2002), (page 2 - page 5, abstract; figs 11-18).

D1 or D2 describe the most relevant known technique. D1 or D2 differs from the invention according to claim 1 by the fact that D1 or D2 does not describe explicitly that the method can be used for depositing a credit on an account associated to a terminal in a communication network. The problem to be solved by a person skilled in the art is depositing a credit on an account associated to a terminal in a communication network.

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Supplemental Box

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Continuation of: BOX V

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

The feature, depositing a credit on an amount, is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

However, these features have already been employed for the same purpose in a similar method. It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply these features with corresponding effect to a method according to D1 or D2, thereby arriving at a method according to claim 1. The subject-matter of claim 1 does therefore not involve an inventive step (Article 33(3) PCT).

Dependent claims 2-8 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, involve an inventive step, since said features fall within the scope of the customary practice followed by persons skilled in the art. A person skilled in the art would try to combine the principle parts of D1 or D2 with the closest prior art D3 to obtain the features of claims 2-8 and have a reasonable expectation of success. The solution proposed in claims 2-8 of the present application cannot be considered as involving an inventive step. Consequently, the invention according to the claims 2-8 lacks an inventive step.

Therefore, the invention according to claims 1-8 lacks an inventive step.